IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

CLAM No. 2658 of 2005
alongwith
Writ Petition No. 300 of 2003 (S/B)

Dr. Rajendra Singh …….. Petitioner

Versus

Union of India and others …….. Respondents

Mr. B.D. Upadhayaya, Advocate for the petitioner
Mr. L.P. Naithani, Senior Advocate for the respondents no. 2

Coram: Hon'ble Cyriac Joseph, C.J.
Hon'ble M.M. Ghildiyal, J.

[Per Hon'ble Chief Justice (Oral)]

The grievance of the petitioner is about the action of the respondent no. 2 in not selecting him for the post of Scientist F. It is submitted by the learned counsel for the petitioner and learned counsel for the respondent no. 2 that even in the selection made on 15.05.2002, the petitioner was not selected for the post of Scientist F. Though the selection was made again on 14.07.2003, the result has not been declared. In these circumstances, it is agreed between the petitioner and the respondent no. 2 that the second respondent will reconsider the whole issue of the claim of the petitioner for selection to the post of Scientist F dehors the decision taken earlier. It is submitted by the learned counsel for the parties that the writ petition can be disposed of recording the above agreement between the parties.

It is clarified by Mr. Naithani, learned counsel for the second respondent that if the petitioner is found to have been selected in the selection made on 14.07.2003, the said selection would be acted upon.

Therefore, the offer of the second respondent to reconsider the whole issue of the claim of the petitioner for selection to the post of Scientist F dehors the earlier decision taken by the second respondent is recorded. The writ petition is disposed of with a direction to the second respondent to reconsider the claim of the petitioner in the light of the above offer and to pass appropriate orders as early as possible and at any rate within a period of three months from today. The order restraining the second respondent from declaring the result of the selection made on 14.07.2003 is vacated.

(M.M. Ghildiyal, J.) **(Cyriac Joseph, C.J.)**

20.05.2005 20.05.2005

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